

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN STEVEN OLAUSEN,

Petitioner,

vs.

E. K. MCDANIELS, et al.,

Respondents.

Case No. 3:06-cv-00257-LRH-VPC

ORDER

Petitioner has filed a motion for recusal or disqualification (#33). The basis for the motion is that the undersigned's son now is the Washoe County District Attorney, where petitioner's criminal proceedings occurred. However, the undersigned's son was elected Washoe County District Attorney in Fall 2014 and entered office in January 2015. All this occurred long after this action was closed, not to mention long after the state-court criminal proceedings had concluded. Furthermore, the undersigned was assigned to this case after it was closed, when United States District Judge Edward C. Reed recused himself from this action. Until now the undersigned has taken no action in this case. No reason for recusal exists.

Reasonable jurists would not find this court's conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

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1 IT IS THEREFORE ORDERED that petitioner's motion for recusal or disqualification (#33)
2 is **DENIED**.

3 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

4 DATED this 22nd day of December, 2015.

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6 
7 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE